



DOCKET NO: C1039.70075US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krieg et al.
Serial No: 10/613,916
Confirmation No: unknown
Filed: July 3, 2003
For: IMMUNOSTIMULATORY NUCLEIC ACID MOLECULES

Examiner: unknown
Art Unit: unknown

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 12th day of December, 2003.

Alan W. Steele, M.D., Ph.D., Reg. No. 45,128

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- ☒ Request to Substitute Form 1449 in Supplemental Information Disclosure Statement Filed December 10, 2003
- ☒ Substitute Form PTO-1449
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617)720-3500, Boston, Massachusetts.

No fee is believed to be due. If a fee is required, the Commissioner is hereby authorized to charge the amount to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Krieg et al., Applicant

By: 

Alan W. Steele, M.D., Ph.D., Reg. No. 45,128
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 720-3500

Docket No. C1039.70075US00
Date: December 12, 2003
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REQUEST TO SUBSTITUTE FORM 1449 IN SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT FILED ON DECEMBER 10, 2003

Sir:

Please substitute the enclosed Form 1449 for the Form 1449 submitted in error with the Supplemental Information Disclosure Statement (IDS) mailed December 10, 2003. It has come to our attention that the header of the Form 1449 as submitted December 10, 2003, erroneously misidentifies the application to which it pertains. The substitute Form 1449 submitted herewith merely corrects the identification material in its header.

The enclosed substitute Form 1449 and the erroneously submitted Form 1449 list the identical references. Therefore, the references originally submitted with the IDS on December 10, 2003, are the intended references and are not resubmitted herewith.

To avoid any doubt, the mislabeled Form 1449 and references submitted therewith on December 10, 2003, in connection with application 10/613,916 are not to be associated with application 10/140,013 indicated in the header of the mislabeled Form 1449.

If there are any questions, the Patent Office is requested to telephone the Applicants' representative at the number shown below.

Serial No. 10/613,916

- 2 -

Art Unit: unknown

Respectfully submitted,
Krieg et al., *Applicant*

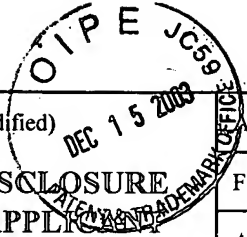
By: 

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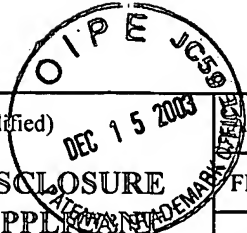
FORM PTO-1449/A and B (Modified)				APPLICATION NO.: 10/613,916		ATTY. DOCKET NO.: C1039.70075US00	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				FILING DATE: July 3, 2003		CONFIRMATION NO.: unknown	
				APPLICANT: Krieg et al.			
				GROUP ART UNIT: unknown		EXAMINER: unknown	
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U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A2	2001/0044416	A1	Davis et al.	11-22-2001
	A3	2003/0055014	A1	Bratzler	03-20-2002
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FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	B1	WO	98/32462	A1		07-30-1998	
	B2	WO	98/40100	A1		09-17-1998	
	B3	WO	99/56755	A1		11-11-1999	
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FORM PTO-1449/A and B (Modified)		APPLICATION NO.: 10/613,916	ATTY. DOCKET NO.: C1039.70075US00
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		APPLICANT: Krieg et al.	
		GROUP ART UNIT: unknown	EXAMINER: unknown
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OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]